IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPEALLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO.1056 OF 2004
IN
CRIMINAL APPEAL NO.308 OF 2004

Jaibi Shankar Rokade ..Applicant

Vs.

The State of Maharashtra ..Respondents

Mr.Shrishail Sakhare, Adv. for Applicant

Mr.D.P. Adsule, A.P.P. for the State

CORAM: V.M.KANADE,J.
DATED: 21ST SEPTEMBER, 2004.

P.C.

1. Heard learned Counsel appearing on behalf of the applicant and A.P.P. for the State. The applicant is convicted under Section 436 of the Indian Penal Code and sentenced to suffer R.I. for five years and to pay fine.

2. The applicant is in jail since 31st January, 2004 when she was convicted by the trial Court. The allegation against her is that she was a keep of the complainant. There was altercation between the complainant and the applicant. Complainant wanted to take the applicant to Ulhasnagar. However, she did not agree to said suggestion and threatened that she would burn his hut. Accordingly she took out a match stick, ignited it and threw it on the hut, as a result of which the hut caught fire. The

complainant

while trying to bring the cash box outside the hut, stumbled and fell down on some of the burning articles and sustained 36% burn injuries and subsequently expired. The applicant has been acquitted of the charges under Section 304, 337 and 504 of Indian Penal Code.

3. The applicant has already undergone eight months imprisonment. In my view this is a fit case where the applicant is entitled to be released on bail. Applicant to be released on bail on furnishing P.R. Bond for an amount of Rs.1000/- and by giving one or two sureties in the like amount.

. Hearing of the appeal is expedited.

JUDGE